

**Exhibit 4**

**From:** [Yeung, Christopher](#)  
**To:** [Claire O'Brien](#)  
**Cc:** [Faith Gay](#); [Nelson, Christine A](#); [Rebuck, Michael D](#); [Wallace, Kevin](#)  
**Subject:** MDL 3047 - NY Agency Discovery  
**Date:** Thursday, January 9, 2025 12:23:00 PM  
**Attachments:** [image001.png](#)  
[Meta Search Term Proposal Sent on 12\\_6\\_24 w Hit Counts\(1322338.2\).docx](#)

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Claire,

Thank you for conferring on Monday about the Rule 34 agency discovery that Judge Kang ordered from the Governor's office, Office of Mental health ("OMH"), Department of Health ("DOH"), Council on Children and Families ("CCF"), Office of Children and Family Services ("OCFS"), State Division of Budget ("DOB"), and Department of State ("DOS"), to which we understand you have a standing objection on the basis of Judge Kang's ability to direct such discovery from these agencies.

On our call on Monday, you noted as an example that requiring CCF to review the 1,215 documents that you said resulted from your 12/16 search term proposal (which in our view is too narrow from a substantive perspective) represents a large burden. We disagreed, and noted that our concepts of what constitutes a reasonable document volume for each agency to review appears to be quite different.

We are mindful that Judge Kang has directed Meta and the States to finalize search term and custodian negotiations "without any further undue delay," ECF No. 1495, and that we are meeting tomorrow in person to see if we can reach such an agreement about New York agencies. To that end, in the interest of seeing if we can reach a compromise that addresses your burden concerns in the time that we have left – and without waiver of our arguments regarding relevance, burden, and proportionality, or based on information learned through document productions – Meta proposes the following total target number of documents containing hits (not including family members), post-deduplication across custodians within agencies. Meta would expect that the agencies would review the hits and the family members of documents with hits for responsiveness, privilege, and confidentiality. Under this proposal, Meta would be free to propose any terms, custodians, and time period (between January 1, 2012 to April 1, 2024), and the agencies listed below would have to accept them as long as those parameters return a total number of documents with hits (again, deduplicated across custodians within agencies and not including family members) within those targets. If Meta's proposed terms, custodians, and time period result in a total number of documents with hits higher than the target numbers, Meta and the agencies would work collaboratively to generate a combination of search terms and custodians in accordance with those guidelines, with the agency providing Meta with hit reports and total, deduplicated document counts on Meta's proposals and counterproposals as necessary to get under the targets, and proposing custodians (to the extent they are missing) to cover relevant topics and the January 1, 2012 to April 1, 2024 time period.

| Agency            | Hit Target |
|-------------------|------------|
| Governor's Office | 90K        |
| OMH               | 135K       |
| CCF               | 135K       |

OCFS

90K

Separately, with respect to the DOH and DOB, we propose the following:

1. DOH: In the attached, you reported that Meta's 12/6 search term proposal resulted in individual search string hits for DOH, after de-duplication, that totaled 11,066 when added together. We propose that DOH accept Meta's 12/6 search term proposal across the requested time period (January 1, 2012 to April 1, 2024).
2. DOB: On Monday's call, we suggested a targeted search approach for DOB, and you said you would consider it. We await your feedback.

Finally, we await additional details about the results of the targeted search that DOS is applying that you were working on.

If you have any questions about our proposals, please let us know so that we can arrange a call. Otherwise, we look forward to meeting with you and Faith tomorrow morning at 10 am. If there are others from Selendy Gay who will be joining, please let us know so that we can advise building security.

Best,

Chris

**Christopher Y. L. Yeung**

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